

**REMARKS**

This Response is in reply to the Office Action mailed on October 14, 2009. Applicant requests a one month extension of time pursuant to 37 C.F.R. § 1.136 and has enclosed the associated \$65 fee herewith. Applicant has also enclosed \$440 in excess claim fees for Applicant's four independent claims in excess of three.

Applicant hereby amends the claims as described in the above listing of claims. Applicant has cancelled Claims 1-16, 22-23, and 30-31. Applicant has rewritten Claims 17-18, 24-25, 29, 32, and 36 into independent form, incorporating all the limitations of the base claims and intervening claims. Applicant has also amended the independent claims to recite that the method is performed by the network analyzer device disclosed in Applicant's specification. Applicant asserts that the claim amendments are supported by the specification in the application as filed and thus do not contain new matter.

**I. Rejections under 35 USC § 101**

The Examiner has rejected the pre-amendment version of the claims under 35 USC § 101 as being directed to non-statutory subject matter. Applicant has amended the claims to recite that Applicant's method is performed by the network analyzer device disclosed in Applicant's specification. Applicant submits that this network analyzer is a particular machine that performs the method steps. Accordingly, Applicant submits that the claims, as amended, are directed to statutory subject matter under 35 USC § 101.

**II. Claim rejections under 35 USC §§ 102 and 103**

The Examiner has rejected Claims 1-16, 22-23, and 30-31 under 35 USC § 102 or 103 in view of the prior art. Applicant has cancelled these claims, therefore rendering these rejections moot.

**III. Allowable subject matter**

The Examiner stated in the Office Action that Claims 17-21, 24-29, and 32-39 contained allowable subject matter and would be allowed if rewritten into independent form. Applicants have amended the claims into independent form and therefore request allowance of the claims.

**IV. Conclusion**

For the foregoing reasons, Applicant respectfully requests allowance of all claims, as amended. If any additional fees are due in connection with the filing of this Response or the accompanying papers, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to SGR Deposit Account No. 02-4300, Order No. 041253.010. If an additional extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The additional extension fee also should be charged to SGR Deposit Account No. 02-4300, Order No. 041253.010. Any overpayment can be credited to Deposit Account No. 02-4300, Order No. 041253.010.

Respectfully submitted,



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